

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID NELSON,

Defendant - Appellant.

No. 07-7049  
(D.C. No. CR-06-31-JHP)

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**ORDER**

Filed September 27, 2007

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The “First Amended Motion to Dismiss and Dismissal Agreement” is granted.  
This appeal is dismissed pursuant to Fed. R. App. P. 42(b) and Tenth Circuit Rule  
46.3(B). The mandate shall issue forthwith.

Entered for the Court  
ELISABETH A. SHUMAKER  
Clerk of Court



by:  
Douglas E. Cressler  
Chief Deputy Clerk

